

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA)	
)	
v.)	CASE NO. 2:06-cr-026-MEF
)	(WO)
KEITH JAMAL WASHINGTON)	

ORDER

On July 11, 2006, the defendant withdrew his guilty plea and requested that his case be set for trial. The Speedy Trial Act provides generally that the trial of a defendant in a criminal case shall commence within 70 days of the latter of the filing date of the indictment or the date the defendant appeared before a judicial officer in such matter. 18 U.S.C. §3161(c)(1). *See United States v. Vasser*, 916 F.2d 624 (11th Cir. 1990).

The Act excludes from this 70 day period any continuance that the judge grants "on the basis of his findings that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial." 18 U.S.C. § 3161(h)(8)(A).

Given the circumstances of this case, including the need for the defendant to have adequate time to prepare for trial or to negotiate another plea agreement, the court concludes that the ends of justice served by setting this case on the September 18, 2006 trial term outweighs the best interest of the public and the defendant in a speedy trial. *See United States v. Davenport*, 935 F.2d 1223, 1235 (11th Cir. 1991)(reasonable time necessary for effective preparation is a significant factor for granting a continuance under the Speedy Trial Act).

Accordingly, it is hereby ORDERED:

1. That the trial of this case is set for the criminal trial term commencing on September 18, 2006.

2. That the Magistrate Judge conduct a pretrial conference prior to the September 18, 2006 trial term.

DONE this the 14th day of July, 2006.

/s/ Mark E. Fuller
CHIEF UNITED STATES DISTRICT JUDGE